

PARALLEL SESSION 3.3
WHAT'S LAW GOT TO DO WITH IT ?



| BACKGROUND

The law can be a powerful tool to prevent, control and treat NCDs as it can be used to prohibit or permit specific behaviors. The law is also a vital tool in the creation of safeguards and normative frameworks that shape politics, economics and governance. However, the law can also create barriers and challenges to optimal NCDs responses. As part of ongoing efforts to improve policy coherence in global, regional and national legal frameworks and create and implement public health-driven legal and normative strategies, including by sensitizing and supporting parliamentarians to accelerate progress towards Agenda 2030 implementation, much can be done to support NCD-related priorities.

The session will discuss challenges and opportunities related to the NCD responses & the Law, including discussion of the following topics:

- Global norm-setting to prevent, control and treat NCDs, from the WHO Framework Convention on Tobacco control and beyond
- Best practices in creating strategies and safeguards to promote evidence-driven policy-coherent legal responses and avoid undue influence
- Making the case for a rights-based approach to NCD treatment: a patient perspective
- The law as a tool to deal with commercial determinant in NCD responses –NCD strategies to increase legal policy coherence on health, trade and investment regimes

| OBJECTIVES

This session will increase visibility of the opportunities, progress and challenges in creative effective framework legislation and normative guidelines and the role of international law and rules based agreements in NCD responses. It will also provide an overview of how international and domestic legislative and normative strategies interact and to highlight opportunities for increased policy coherence and best practices. The session will provide an opportunity to discuss strategies for multisectoral and whole-society responses, while managing undue influence and conflicts of interest.





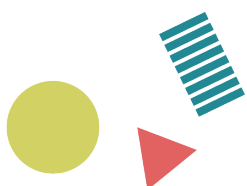
Moderator

Tenu Avafia

Team Leader, HIV, Health and Development Team

United Nations Development Programme
United States of America

Tenu Avafia leads the Human Rights, Key Populations and Treatment Access team within UNDP's HIV, Health and Development Group. His responsibilities include overseeing the implementation of the Global Commission on HIV as well as UNDP's partnerships with the Government of Japan around health technology innovation and access including the UNDP-led Access and Delivery Partnership. Before joining UNDP, he worked at the Trade Law Centre for Southern Africa focusing on regional and multilateral trade negotiations and regional integration. He also worked with the Legal Assistance Centre in Namibia where he undertook rights-based litigation and research into socio-economic issues including the right to health. He holds an LLM in international trade law from the University of Stellenbosch and a PhD in intellectual property law from Queen Mary, University of London.





Panelist

Fiona Bull

Program Manager, NCD Prevention

World Health Organization
Switzerland

Dr Fiona Bull is Acting Director and Programme Manager in the Department of Prevention of Noncommunicable Diseases (NCD) at the World Health Organization based in Geneva, Switzerland. She leads the WHO's global work on reducing physical inactivity, promoting healthy eating, the prevention of obesity, as well as providing leadership for global monitoring and surveillance of NCDs and their risk factors. Dr Bull joined WHO after 25 years in NCD prevention research and practice in Australia, the UK and the USA. Before joining WHO she was Professor of Public Health and Director of the Centre for Built Environment and Health at the University of Western Australia. This work focussed on the evidence and effectiveness of improving urban design in cities and communities to promote health and has informed national and international policy and practice. She is one of the lead investigators of RESIDE, a 10-year cohort study of Liveable Neighbourhoods, the State urban design policy. Across her career Fiona has focussed on developing and then translating evidence and understanding on healthy lifestyles to inform policy and practical solutions in community settings. She has co-authored over 180 scientific publications and was awarded a Member of the British Empire (MBE) for her services to public health. She is a keen swimmer, sailor and dog walker.



Panelist

Janet Byaruhanga

Senior Programme Officer, Public Health

New Partnership for Africa's Development (NEPAD)
South Africa



Panelist

Manon Ress

Patient, Founder and Acting Director

Union for Affordable Cancer Treatment
United States of America

Dr. Manon Ress is a Founder and Acting Director of the Union for Affordable Cancer Treatment (UACT). Beginning with her work at Knowledge Ecology International (KEI), Dr. Ress' mission has focused on the protection on consumer and user rights in intellectual property norm setting, the development and use of open standards, open access publishing, the development of open access user generated databases, and the use of prizes and other alternative reward mechanism to reward creative and inventive activity. She has been an active participant at the World Intellectual Property Organization's meetings of the Standing Committee on Copyright and Related Rights, and other multilateral and regional forums that discuss intellectual property rights, innovation and related topics. In 2010, Dr. Ress was diagnosed with cancer and began to hear from patients around her about the struggles they faced in gaining access to the treatments they critically needed. She began to focus her advocacy skills towards improving access to and innovation of cancer treatments in the US and globally. As one of the founding members of UACT, Dr. Ress has represented UACT from its inception, delivering interventions before the US International Trade Commission, World Health Organization, and monitoring policy talks at forums such as the negotiations for the Trans-Pacific Partnership and the Transatlantic Trade and Investment Partnership, where many IP norms that impact drug pricing are decided. Too often, patients' voices are not heard in the very meetings where their fates are being decided. Through UACT, Dr. Ress seeks to educate and empower patients' to demand openness and transparency in drug pricing and the policies that impact pricing. Dr. Ress holds a B.A. and a Master's Degree from the Université de Nice, France as well as a Master's and a Ph.D. from Princeton University.



Panelist

Marcus Otto Low

Spotlight Editor

Spotlight/SECTION27
South Africa



Marcus Low is editor of the South African public health magazine Spotlight and an employee of the public interest law centre SECTION27 (formerly known as the AIDS Law Project). He previously worked as Policy Director at the Treatment Action Campaign, an influential AIDS lobby group. Low was involved in advocacy relating to the conclusion of the 2013 WIPO Marrakesh Treaty and its domestication in South Africa. He is currently pursuing a PhD in pharmaceutical sciences. He is the author of the public health-related novel 'asylum' (published in South Africa in 2017, UK publication scheduled for April 2019).





Panelist

Patricia Lambert

Director International Legal Consortium

Campaign for Tobacco Free Kids
United States of America

Patricia Lambert is a South African human rights lawyer and social justice advocate currently working as the Director of the International Legal Consortium (ILC) at the Campaign for Tobacco-Free Kids (CTFK) in Washington, DC – part of the Bloomberg Initiative to Reduce Tobacco Use. In the past twelve years, the ILC has provided legal technical assistance to more than 90 countries. For ten years, during the Mandela and Mbeki administrations, Patricia worked as a legal adviser to the South African government on a range of human rights, international trade, environmental and health issues. She was appointed as the Chief Negotiator for the South African government for the negotiations that culminated in the WHO Framework Convention on Tobacco Control (FCTC), the world's first public health treaty, and became Africa's representative on the Bureau that managed the treaty-making process. Beyond tobacco control, Patricia was a lead author on South Africa's National Plan for the Promotion and Protection of Human Rights; she advised the South African government during its historic legal battle with the multinational pharmaceutical industry over the country's groundbreaking laws aimed at providing affordable medicines; and was appointed as South Africa's Chief Negotiator for the revision of the WHO International Health Regulations. Patricia serves as an advisor to the Board of the African Tobacco Control Alliance (ATCA). She is a past President of the International Network of Women Against Tobacco (INWAT) and has served on the Boards of the Framework Convention Alliance (FCA) and Action on Smoking or Health (ASH-US).

